



Alabama Board of Nursing Annual Report - Fiscal Year 2012-2013

P. O. Box 303900
Montgomery, Alabama 36130-3900
(334) 293-5200
1-800-656-5318



Carol M. Stewart, Vice President
CRNP, MSN, Montgomery, AL



Martha G. Lavender, President
RN, DSN, Hokes Bluff, AL



Melissa Marie Bullard, Secretary
LPN, Decatur, AL



Eugene R. Akers, Board Member
PhD, Montgomery, AL



Catherine E. Dearman, Board Member
RN, PhD, Mobile, AL

Alabama Board of Nursing



2013



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PhD, MBA, RN, Gadsden, AL



Miriam Ellerbe, Board Member
LPN, Tuskegee, AL



Maggie Lee Hopkins, Board Member
LPN, Fairfield, AL



Gregory Tyrone Howard, Board Member
LPN, Tuscaloosa, AL



Lynda F. LaRue, Board Member
ADN, RN, CMTE, Blountsville, AL



Francine M. Parker, Board Member
Ed.D., MSN, RN, Auburn, AL



Amy Price, Board Member
MSN, RN, Sylacauga, AL



E. Laura Wright, Board Member
PhD, MNA, CRNA, Birmingham, AL

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Nursing Education

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Alabama Federation of Licensed Practical Nurses

Maggie Lee Hopkins, LPN, Fairfield
Licensed Practical Nurses Association of Alabama

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Nursing Practice

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Nursing Education

Amy Price, MSN, RN, Sylacauga
Nursing Practice

Laura Wright, PhD, MNA, CRNA, Birmingham
Advanced Practice

Authority

The Alabama Board of Nursing is charged under Code of Alabama 1975, Section 34-21-1, et seq. (the Alabama Nurse Practice Act) with the regulation of nursing practice and nursing education, as well as enforcing the provisions of the Nurse Practice Act. This charge includes licensing of registered nurses and practical nurses, approval and oversight of nursing education programs, approval of advanced practice nursing applications, and promulgating rules for nursing practice and nursing education. Discipline may be applied to licensees who fail to comply with the legal and professional standards of nursing practice.

Mission, Vision, and Values

Board Values

- Integrity
- Fairness
- Objectivity
- Quality
- Collaboration
- Innovation
- Diversity

Board Mission

The mission of the Alabama Board of Nursing is to safeguard and promote the health, safety, and welfare of the public through licensing and approval of qualified individuals and adopting and enforcing legal standards for nursing education and nursing practice.

Board Vision

The Alabama Board of Nursing strives to promote and safeguard the health of the public through regulatory excellence.

2014-2018 Strategic Plan

On September 19, 2013, after several months of development, the Board adopted its 2014-2018 Strategic Plan, which affirms the mission, values, and vision of ABN, as well as establishing a set of broad strategic goals and objectives to be achieved at intervals over the course of the Plan. The five (5) goals adopted for the implementation period are below; more information, including the full text of the 2014-2018 ABN Strategic Plan, can be found at www.abn.alabama.gov.

Goal 1.0	Increase efficiency and effectiveness of regulatory functions.
Goal 2.0	Enhance the external perceptions and opinions about the Board of Nursing.
Goal 3.0	Promote public health by supporting the practice of nursing at the level of education, experience, and licensure.
Goal 4.0	Implement a comprehensive Board Development Plan that addresses the dynamic needs of a rotating board membership.
Goal 5.0	Continue evidence-based regulatory processes and data-driven decisions related to fulfillment of legal mandates for the oversight of nursing education and nursing practice.

The Board

The Board's ultimate responsibility is to enforce the Nurse Practice Act (NPA) and the ABN Administrative Code. The Board does not accomplish its work on its own, but employs an experienced staff to accomplish the day-to-day operations and activities of the Board. All Board actions are recorded and reported in the ABN Board Minutes available on the Board's website.

The ABN Board in Action in FY 2013

October 2012

- Appointed Grace Grau to the Joint Committee for Advanced Practice Nursing for a second term ending September 30, 2015.
- Reviewed Continuing Education Needs Assessment.
- Approved 2013 CE Plan.
- Open Forum: Pediatric Sexual Assault Nurse Examiners: Dr. David Bernard and Chris Jolliffe, RN, SANE-P of Children's Hospital of Alabama.
- Approved nomination of Martha Lavender to the Alabama Nursing Hall of Fame.

November 2012

- Elected Martha Lavender as President for calendar year 2013.
- Elected Carol Stewart as Vice-President for calendar year 2013.
- Elected Melissa Bullard as Secretary for calendar year 2013.
- Established meeting dates for calendar year 2013.
- Completed board self-evaluation forms for analysis by Ms. Price.

The ABN Board in Action in FY 2013

November 2012 (continued from page 6)

- Approved Notices of Deficiency to those nursing education programs that failed to meet the 80% NCLEX outcome standard:
 - Chattahoochee Valley PN Program-77.8%
 - Fortis Institute PN Program-70.7%
 - Lurleen B Wallace MacArthur Campus ADN Program-68.9%
 - Snead State Community College ADN Program-77.8%
 - University of Alabama in Huntsville BSN Program-79.2%
- Approved Notices of Met Standards to those programs who meet the 80% NCLEX outcome standard.
- Approved Notices of Correction for those programs meeting the 80% NCLEX standard which had prior deficiencies:
 - Herzing University
 - Springhill College
 - Lawson State Community College
 - Virginia College-Montgomery
- Delayed addressing Virginia College-Birmingham failure to meet NCLEX outcome standard until improvement plan is received and reviewed.
- Approved statement for distribution related to CRNP and CNM expansion of scope of practice in prescribing controlled substances.
- Approved staff guidelines for licensed nurses and applicants who are prescribed suboxone.
- Approved retaining General Counsel report in FY terms rather than calendar year as well as issues or trends, resolution of cases within six months (75%), number of licensees who hold multiple licenses. Dr. Lavender requested an annual report with trended information over three to five years.

December 2012

- Issued Notice of Continued Deficiency and Notice of Continued Provisional Approval to Virginia College-Birmingham with an expected correction date of September 30, 2012.
- Approved drafting a bill to expand APRN practice to full extent of Consensus Model.
- Granted petition for declaratory ruling for Sarah Owens Watts, Scholarship Recipient.
- Approved repeal of ABN Administrative Code, Chapter 610-X-11, Scholarships for Post Baccalaureate Study.
- Approved new ABN Administrative Code, Chapter 610-X-11, Graduate Scholarships.

The ABN Board in Action in FY 2013

December 2012 (continued from page 7)

- Approved amendments to Rule 610-X-7-.05, Sexual Assault Nurse Examiners.
- Open Forum: Mark Wilkerson, Esq., Board's Administrative Hearing Officer, presented general comments and answered questions.
- Joe Decker, Executive Director, Alabama State Nurses Association, presented update on changes at ANA and impact on ASNA.
- Charlene Cotton reviewed additional skills, the process, and items considered by Joint Committee for CRNPs and CNMs.
- Approved filing of amicus curiae brief based on request from Alabama Board of Examiners in Psychology.

January 2013

- Approved recognition of certifications for Adult-Gerontology Primary Care Nurse Practitioner and Adult-Gerontology Acute Care Nurse Practitioner.
- Approved maintaining continuing education report on consent agenda.
- Approved 2013 CE Plan.
- Approved revised Records Disposition Authority.
- Open Forum: Alice Henley, General Counsel, and Patrick Samuelson, Assistant General Counsel, presented information about the Alabama Administrative Procedures Act.

February 2013

- Approved recognition of American Association of Critical Care Nurses APRN Certification Programs.
- Approved Deputy Director position in unclassified service.
- Granted full approval to South University BSN Program.
- Granted full approval to Virginia College-Mobile ADN Program.
- Denied petition for declaratory ruling from Amy Claerbout requesting forgiveness of scholarship money.
- Approved language for immigration brochure to be mailed to licensed nurses and schools of nursing.
- Approved Alabama Department of Mental Health Nurse Delegation Program Curriculum and Rules Changes.
- Approved comments on proposed NCLEX-PN® Test Plan.
- Open Forum: Epinephrine Resource School Nurse—A National Association of School Nurses Initiative: Melanie Sharp-ton, Catherine Davis.

The ABN Board in Action in FY 2013

February 2013 (continued from page 8)

- Open Forum: New Executive Director, Dr. John Ziegler of Alabama State Nurses Association.
- Open Forum: Alabama Department of Mental Health Nurse Delegation Program: Vanessa Prater, RN, BSN.
- Open Forum: Financial Policy Review.

March 2013

- Determined that online pre-nursing courses at Fortis College do not require Board approval.
- Denied declaratory ruling from Lynn Whittington, CRNP, who requested approval to conduct face to face assessments of male patients in hospice.
- Open Forum: Review of Trends in Substandard Practice Cases: Ms. Patton, Ms. Boden, and Ms. Benson.
- Open Forum: Alabama 80/20 Task Force: Dr. Sara Barger, Dr. Jeannette VanderMeer, and Ms. Michelle Cheshire.
- Approved request from ADPH to change whatever rules are necessary if Expedited Partner Therapy approved by legislature.
- Determined that new strategic plan will cover a five-year period with annual reviews and a comprehensive mid-cycle review.

April 2013

- Developed goals for strategic plan.
- Approved the 2012 Standardized Procedures Report as submitted with the follow up plans.

May 2013

- Reaffirmed Board's Mission, Amended Values, and Vision.
- Approved specific anti-rheumatic drugs for formulary.
- Approved Notice of Deficiency to ITT Technical Institute, Breckinridge School of Nursing, Bessemer, AL for failure to comply with regulations specific to nursing program administrator. Compliance expected immediately.
- Open Forum: Comments from SAACN and ACAPNEP regarding Nursing Education Annual Report. Presenters: SAACN: Dr Dorene Harper; ACAPNEP: Dr Linda North and Ms. Jean Graham.
- Reviewed each Board member's temperament per Keirseay Temperament Sorter II.

The ABN Board in Action in FY 2013

June 2013

- Approved changes to Critical Care Nurse Practitioner Skills.
- Reviewed deficiency plans for:
 - Snead State Community ADN Program
 - University of Alabama at Huntsville BSN Program
 - Fortis Institute PN Program
 - Chattahoochee Valley PN Program
 - Lurleen B Wallace ADN Program
- Allowed five PN programs until Fall 2014 to implement Anatomy and Physiology with a lab:
 - Bevill State
 - Southern Union
 - Trenholm
 - Wallace Community College-Dothan
 - Wallace Community College-Selma
- Issued Notice of Deficiency to Fortis Institute PN Program for failing to offer Anatomy and Physiology with a lab with expected immediate compliance.
- Approved Glucagon Pilot project training.
- Approved amendments to Curriculum to Teach Unlicensed School Personnel about Assistance with Medications.
- Elected Dr. Dearman and Dr. Parker as Delegates to the Annual Meeting in Rhode Island in August 2013. Elected Ms. Stewart and Ms. Bullard as alternate delegates.
- Revised summary of recommendations to the Delegate Assembly.
- Reviewed Commitment to Ongoing Regulatory Excellence (CORE) report on discipline.

July 2013

- Approved hiring of Barbara Wells, attorney, to represent Dr. Lavender in abortion clinic lawsuit in federal court.
- Determined that the Executive Committee should reach out to Dr. George (Buddy) Smith, Jr., to discuss BME and ABN relationship.
- Reviewed Notice of Intent and materials from Drake State Technical and Community College requesting an ADN program.
- Issued Notice of Deficiencies to Breckenridge School of Nursing at ITT Tech, Bessemer and requested invitation to Lynell Rogers, Program Director, to attend August meeting with improvement plan.

The ABN Board in Action in FY 2013

July 2013 (continued from page 10)

- Approved disclaimer language for Alabama Commission on Higher Education (ACHE) to add to their approval certificates to out of state programs that have nursing as part of the curriculum.
- Approved requirements for graduate scholarships.
- Approved declining the administrative fee for scholarships.

August 2013

- Discussed pre-nursing science courses. Information will be added to rules when Chapter 610-X-3, Nursing Education Programs, is revised.
- Granted declaratory ruling and approved repayment of scholarship funds in full by June 2014 for RN 1-071451.
- Open Forum: Bill Garrett, Assistant Attorney General, discussed outside counsel with the Board.

September 2013

- Determined that ABN would participate in NCLEX new program code testing.
- Appointed Carol Stewart, CRNP, to a second term on the Joint Committee for Advanced Practice Nursing.
- Approved amendment to Rule 610-X-4-.14, Fees, by increasing fee for reinstatement of a revoked license.
- Approved Board compensation for FY2014 at \$175 per day for Board members.
- Approved Board President receiving an additional \$175 per month in addition to regular Board compensation.

Licensure

ABN licenses more than 85,000 registered nurses (RNs), licensed practical nurses (LPNs), and approves advanced practice nurses, making nurses the largest population of professionals regulated by any single licensing board in the state.

Initial licensure is accomplished either by completion of the National Council of State Boards of Nursing (NCSBN) Licensure Examination (NCLEX ®) for LPNs or RNs, or through endorsement, where nurses who hold a license from another state are licensed in Alabama based on already having qualified for licensure at the national level and meeting any other qualifications necessary for an Alabama license.

In FY 2013, ABN issued new licenses to 5,509 RNs and 1,345 LPNs. Following initial licensure, nurses must renew their licenses on a two-calendar-year cycle, with licenses for RNs and LPNs issued in alternating years (all RNs in even years; all LPNs in odd years). The annual renewal period runs from September 1 to November 30, followed by late renewal from December 1 to December 31. Statistics on the number of nurses licensed in Alabama are updated daily on the front page of ABN's website, www.abn.alabama.gov.

Figure 1: Initial Licensure in FY 2013

License Type	Licensed in 2013
RN Endorsement	2,034
RN Examination	3,475
LPN Endorsement	400
LPN Examination	945

An active, valid Alabama license is required to practice nursing in the state of Alabama. Occasionally, nursing licenses are either revoked by the Board for disciplinary reasons or lapse due to failure on the part of the nurse to renew on time. In either case, the nurse must apply for reinstatement in order to return to practice. In FY2013, ABN approved 1,517 applications for reinstatement of lapsed licenses and 14 for reinstatement of revoked licenses.

Citizenship Verification

Alabama Act No. 2011-535 requires ABN to verify the citizenship or legal presence of applicants prior to issuing a license. This significantly impacted the licensure process, beginning in FY 2013 with annual renewal for LPNs.

Nursing Practice

The practice of nursing is constantly evolving, as new technologies, new medicines, new diagnoses, and changes in healthcare require nurses to adapt to their professional environments. In 2001, the Board adopted rules for standardized procedures for nursing practice beyond basic educational preparation. The definitions of professional nursing and practical nursing, stipulated in the Nurse Practice Act, are the foundation for the ABN Administrative Code, Chapter 610-X-6, Standards of Nursing Practice.

Standardized Procedures

The standardized procedure (SP) process supports the mission of the Board through the application of education, training, and competency validation for procedures that go beyond basic nursing education. This is also a useful tool for the nursing education community to monitor and adapt to emerging trends in nursing practice.

Since the implementation of ABN Administrative Code, Chapter 610-X-6, the Board has accepted and approved 8,322 standardized procedures from 807 health care providers across the state. A detailed listing of the approved procedures is available on the ABN website, www.abn.alabama.gov.

Continuing Education

The Nurse Practice Act mandates at least 24 hours of Continuing Education for all licensed nurses during each two-year license period. Applicants must demonstrate completion of the required continuing education hours for renewal, reinstatement, and endorsement. The Board uses evidence-based data from the disciplinary process, needs assessment, surveys, and current trends in practice and education in prescribing continuing education requirements.

Figure 2: FY2013 Total Approved CE Providers

There were a total of 340 approved providers of CE at the close of FY 2013, 3% of which were located out of state.

*Includes various non-traditional providers, such as pharmacies, durable medical equipment (DME) companies, churches, K-12 schools, and nursing sororities.

Total Approved Providers	340
Out of State Providers	3%

Type/Classification of Approved Providers

Hospital/Medical Center	26%
Other*	21%
Nursing Home/Nursing & Rehab	11%
College/University/School	9%
Outpatient Services including Clinics	6%
Self-Employed	6%
State Associations	5%
Mental Health Services	2%
Rehab Center	2%
Public Health Agencies	<1%
Regional/National Association	<1%

Continuing Education

Figure 3: FY 2013 Continuing Education Provider Applications

During FY 2013, the Board approved 117 applications for Approved Providers of Continuing Education, bringing the total number of Board-Approved Providers of CE to more than 350.

Applications Reviewed	Total Applications Approved	Initial Applications Approved	Continuation Applications Approved	Reinstatement Applications Approved	Pending
117	108	13	95	9	3

ABN Continuing Education Course Activity

Continuing Education continues to be a focus of the Board, with the ABN staff providing continuing education opportunities for managers, supervisors, nurses, providers, and ABN staff. The Board presently offers 16 Courses for credit and 9 Non-CE credit course offerings.

Figure 4: FY 2013 ABN On-Line Educational Courses

During FY 2013, CE courses developed by the Board and ABN staff were made available to all Alabama licensed nurses.

2013 ABN Online Education: Camtasia Programs	Continuing Education Hours
ABN Information for Chief Nursing Officers, Managers, Supervisors 5/28/2013	1.50
Substance Use Disorder In Nursing 6/11/2013	2.14
Systematic Evaluation Plan for Nursing Programs 8/5/2013	1.35
The Continued Practice of Nursing Through Monitored Practice 9/16/13	1.20

Continuing Education

FY 2013 CE Audit of Registered Nurses

Each year the Board reinforces the CE requirements mandated by the statute by auditing licensed nurses upon renewal. The Board conducted an audit of continuing education by RNs for FY 2013.

Figure 5: FY2013 CE Audit of Registered Nurses

The CE audit consisted of a review of 2% of active RNs for this renewal period as demonstrated at right:

Total Licensees (RN) Selected for Audit (2% of aggregate)	1299	
Licensees with All ABNP provider continuation credit	497	38%
Active Duty Military	2	less than 1%
Reviewed and compliant with the CE requirement	768	59%
Non-compliant with CE renewal	32	2.4%

Advanced Practice Nursing

A nurse with a valid Alabama RN license and specialty certification may apply for Board approval to engage in Advanced Practice Nursing. Advanced Practice Nursing (APN) includes the following four categories:

- Certified Registered Nurse Practitioner (CRNP)
- Certified Nurse Midwife (CNM)
- Certified Registered Nurse Anesthetist (CRNA)
- Clinical Nurse Specialist (CNS)

Except in cases where practice occurs in a federal facility, Alabama law requires CNMs and CRNPs to practice under a collaborative agreement with a physician licensed to practice in the state of Alabama. Collaborative practice applications require joint oversight by ABN and the Alabama Board of Medical Examiners (ABME), each of which appoints three members to the Joint Committee for Advanced Practice Nursing. CRNPs and CNMs may maintain multiple collaborative practice agreements.

Figure 6: Advanced Practice Nursing Statistics

In FY 2013, the Board approved 503 initial applications for advanced practice nursing, which was an increase of 39 over FY 2012. Advanced practice nursing continues to steadily grow and expand in the state of Alabama; active CRNA approvals increased by 97, while active CRNP approvals increased by 400 from FY 2012 to FY 2013.

Advanced Practice Category	Approval: Initial Issue FY 2013	Approval: Initial Issue FY 2012	AP Category Active on Sep- tember 30, 2012	AP Category Active on Sep- tember 30, 2013
Certified Nurse Midwife (CNM)	3	2	16	17
Certified Registered Nurse Practitioner (CRNP)	345	397	2,680	3,080
Certified Registered Nurse Anesthetist (CRNA)	109	97	1,474	1,571
Clinical Nurse Specialist (CNS)	7	7	77	84
Total	464	503	4,347	5,235

Advanced Practice Nursing

Figure 7: Collaborative Practice

The Board approved 1,142 collaborative practice applications in FY 2013, compared to 798 for FY 2012. This is an increase of 70% and includes collaborative practice modifications for practice sites, formulary, and additional skill requests for existing collaborative agreements.

	FY 2012	FY 2013
CNM Collaboration	2	6
CRNP Collaboration	796	1,136
Totals	798	1,142

Legislative Activity Related to Advanced Practice Nursing

Alabama Act No. 2013-223, enacted during the 2013 Regular Legislative Session, allows CRNPs and CNMs to apply to the ABME for a Qualified Alabama Controlled Substances Registration Certificate (QACSC). CRNPs and CNMs holding QACSCs are authorized to prescribe drugs on Schedules III-V of the Alabama Uniform Controlled Substances Act. While ABN retains regulatory authority over these nurses' licenses and advanced practice approval, the ABME is the sole issuing authority for the QACSCs.

Nursing Education Programs

Each year, ABN reviews annual reports submitted by approved nursing education programs for compliance with the rules specified in Chapter 610-X-3, Nursing Education Programs, of the ABN Administrative Code. A list of Board-approved nursing education programs may be found at www.abn.alabama.gov.

Program Approval

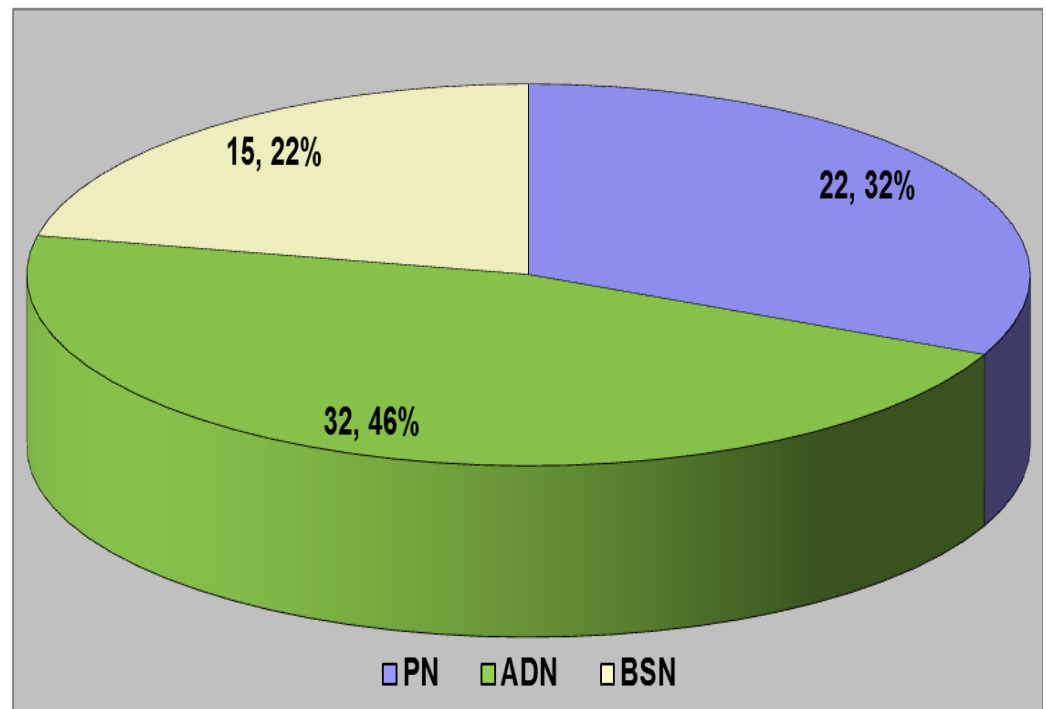
ABN may grant either approval or provisional approval to nursing education programs. Approved programs meet all standards as specified in the ABN Administrative Code, while provisional approval may be given to new programs that demonstrate the potential to meet all standards.

According to the American Association of Colleges of Nursing (AACN) State Snapshot, the Bureau of Labor Statistics projects that by 2020, the current nursing workforce will need to increase by 26%, which equates to 1.2 million new RN positions over the 2013 nursing population. In response to the expected decrease in supply and increase in demand for nurses, existing programs have increased enrollment and proprietary (non-public) institutions have begun offering nursing as a career choice.

As a result of this trend, the number of proprietary programs submitting new nursing education programs has increased. Sixty-three (63) nursing education programs currently are approved in Alabama, with an additional six operating under provisional approval.

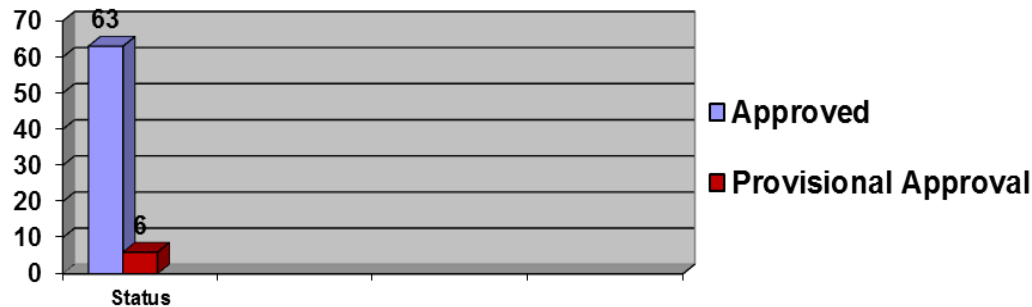
Figure 8: Types of Nursing Programs

There are 69 pre-licensure approved programs in the state. The graph below illustrates the distribution between practical nursing (PN), associate degree in nursing (ADN), and baccalaureate of science in nursing (BSN) programs.



Nursing Education Programs

Figure 9: ABN Nursing Program Approval Status



availability of appropriate theoretical and clinical experiences and programs' ability to comply with the education rules outlined in Chapter 610-X-3 of the ABN Administrative Code

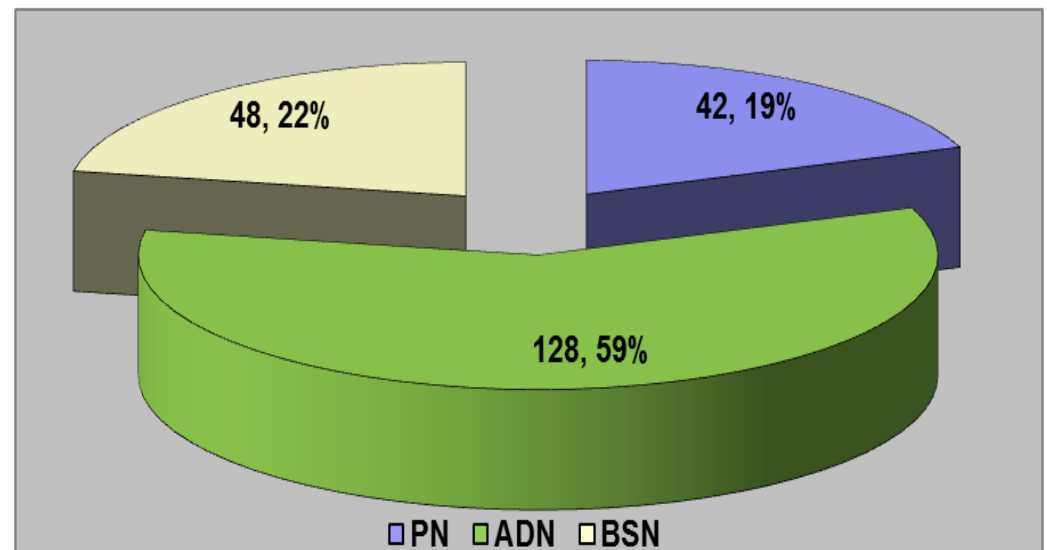
In 2013, AACN listed insufficient numbers of clinical sites, classroom space, and clinical preceptors, as well as faculty shortages and budget constraints, as barriers that limit enrollment in nursing programs.

As identified by *Business Alabama* in 2012, the closure of three Alabama hospitals - Cooper Green Mercy Hospital (Birmingham), Infirmary West (Mobile), and Chilton Medical Center (Clanton) - aggravated the shortage of available clinical sites.

Additionally, as they work toward achieving magnet status, some facilities limit clinical agreements to BSN programs, excluding ADN and PN programs.

Data collected from the education programs annual reports indicates that there is a need to recruit 218 additional faculty - 176 for RN programs and 42 for PN Programs. Each of these variables impact the

Figure 10: Program-Reported Faculty Needs



Nursing Education Programs

Figure 11: FY 2013 Graduates

According to the annual reports, 4,278 students graduated during academic year 2013, including 853 PN graduates, 1,976 ADN graduates, and 1,449 BSN graduates.

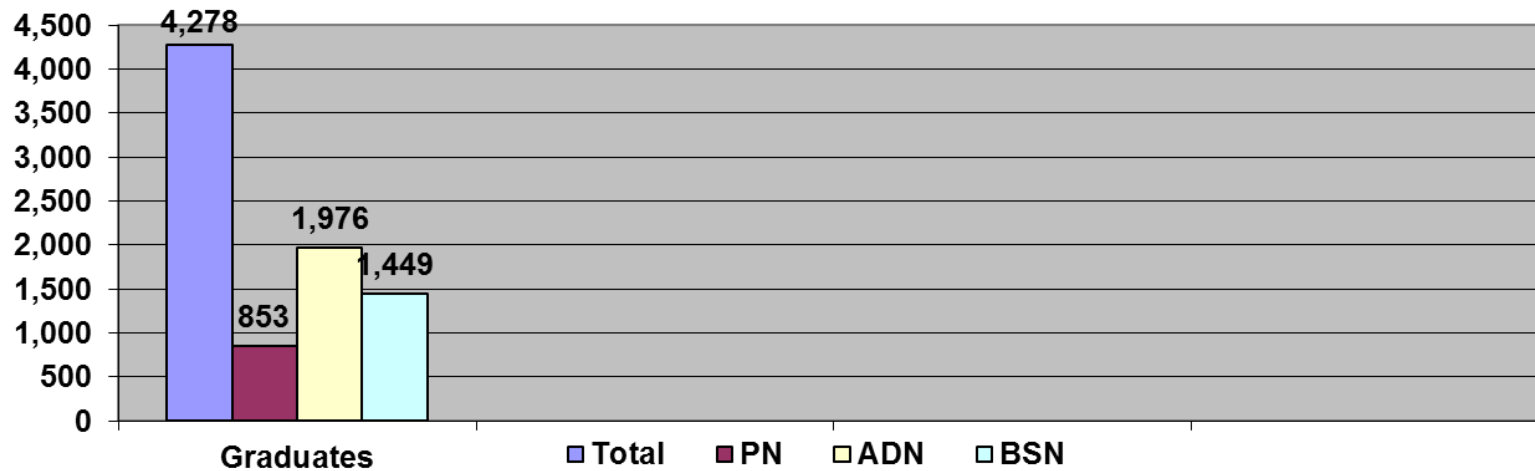
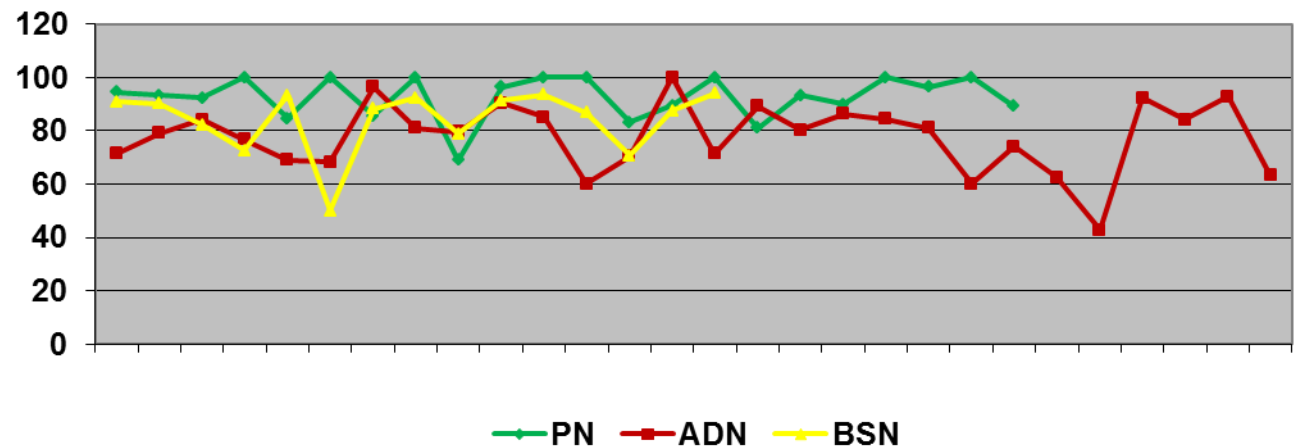


Figure 12: Outcome Standards

ABN requires an 80% pass rate for first-time writers on the NCLEX as an outcome standard for both PN and RN programs. A written notice of deficiencies is issued to programs that fail to meet the standard. Failure to correct the deficiencies within the specified time-period may result in a hearing, which could result in withdrawal of program approval and render graduates ineligible to write the licensure examination.



Operations

The ABN Operations Division is comprised of two sections: Operations and Finance. Under the management of the Director of Administrative Services, the Operations section is responsible for administrative functions such as personnel and fleet management, records disposition, and other vital day-to-day operations of the Board, as well as the Board's Call Center. The Chief Fiscal Officer oversees the Finance section, which maintains the agency's budget, including receipts and deposits.

Financial Information – Revenues and Expenditures

Revenues:

Licenses and Permits	\$	5,558,835.00
Examination Fees	\$	511,150.00
Board Penalties	\$	192,865.00
Miscellaneous Fees	\$	387,497.28
Other Revenues	\$	2,574.50
Total Revenues	\$	6,652,921.78

Expenditures:

Salaries and Benefits	\$	3,279,912.90
Travel Expenses	\$	48,220.91
Operating Expenses	\$	1,691,490.34
Equipment Purchases	\$	124,951.94
Total Expenditures	\$	5,144,576.09

Internal Audits and Dishonored Checks

During FY 2013, ABN conducted internal audits of revenues, expenditures, and the licensing process. The licensing processes reviewed included receipt of applications, receipts of fees, issuance of licenses, and imaging of records associated with each license. Any inaccuracies were noted, forwarded to the appropriate person, and corrected.

In 2001, the Legislature granted ABN authority to accept personal checks as payment for fees and fines. The Board does not accept third party checks, counter checks, or checks drawn on out of state banks. The majority of monetary transactions occur online (92.31%), and the number of checks received by ABN is minimal in relation to the total number of transactions processed. ABN received only one dishonored check during FY2013.

Graduate Scholarships

The Legislature appropriated \$166,027 in the FY 2013 Education Trust Fund Budget for ABN's Graduate Scholarship program. Twenty-seven awardees received \$ 6,149.15 each.

2013 ABN Scholarship Recipients

Name	County of Residence	Nursing School	Anticipated Degree
Sandra M Ambrose	Tuscaloosa	UA	Ed.D.
Azita N Amiri	Madison	UAB	Ph.D.
Robin S Anderton	Shelby	UAB	MSN
Judy L Bazzell	Pike	Troy	DNP
Jenna L Bosch	Tuscaloosa	Samford	MSN
Julie B Brown	Limestone	UA	DNP
Samantha P Carter	Houston	Auburn	MSN
Sara L Davis	Mobile	UAB	Ph.D.
Sarah A Davis	Dallas	Troy	DNP
Alexis N Fowler	Dale	Troy	MSN
Jimmie D Galbreath	Morgan	UAH	DNP
Vickie D Hale-Brown	Madison	UAB	DNP
Pamela C Jackson	Dallas	Troy	DNP
Kelly M Johnson	Pike	Troy	DNP
Julie S Jones	Tuscaloosa	UA	Ed.D.
Betty A Key	Tuscaloosa	UA	Ed.D.
Willie A King	Morgan	UAH	DNP
Krista B Lippold	Baldwin	Troy	DNP
Kerri L Outlaw	Pike	Troy	DNP
Clara R Owings	Tuscaloosa	UA	Ed.D.
Jillyn E Pence	Jefferson	UA	Ed.D.
Natalie W Rollin	Shelby	UAB	MSN
Meagan S Scott	Marshall	USA	MSN
Amy R Walker	Tuscaloosa	UAB	MSN
Penni I Watts	Jefferson	UAB	Ph.D.
Katie S White	Baldwin	Troy	DNP
Susan L Williams	Baldwin	UAB	Ph.D.

Information Technology

ABN's Information Technology (IT) section supports the mission of the Board by striving to provide the Board and ABN staff with cost-effective and quality-driven technology that meets the dynamic needs of the Board and the public. Among the most noteworthy developments in the section during FY2013 were:

- Selection and implementation of a replacement for the Board's aging document imaging system, allowing for significant improvement in licensee record retrieval.
- Implementation of a new licensing management system that supports improved system documentation, on-line applications, real-time data management, real-time communication with licensees and other regulatory agencies, and improved automated processes.
- In an effort to more efficiently use server equipment and facilities, the department implemented the use of virtual servers. This allows for more efficient and user-friendly management and resulting in lower personnel labor hours, as well as realizing a savings in electricity costs represented by eliminating the need for an additional physical server and accompanying power and air conditioning cost.
- Commencement of upgrades to ABN Domain Controllers for better redundancy.
- Phasing out all Windows XP machines as Microsoft "sunsets" support for the product.

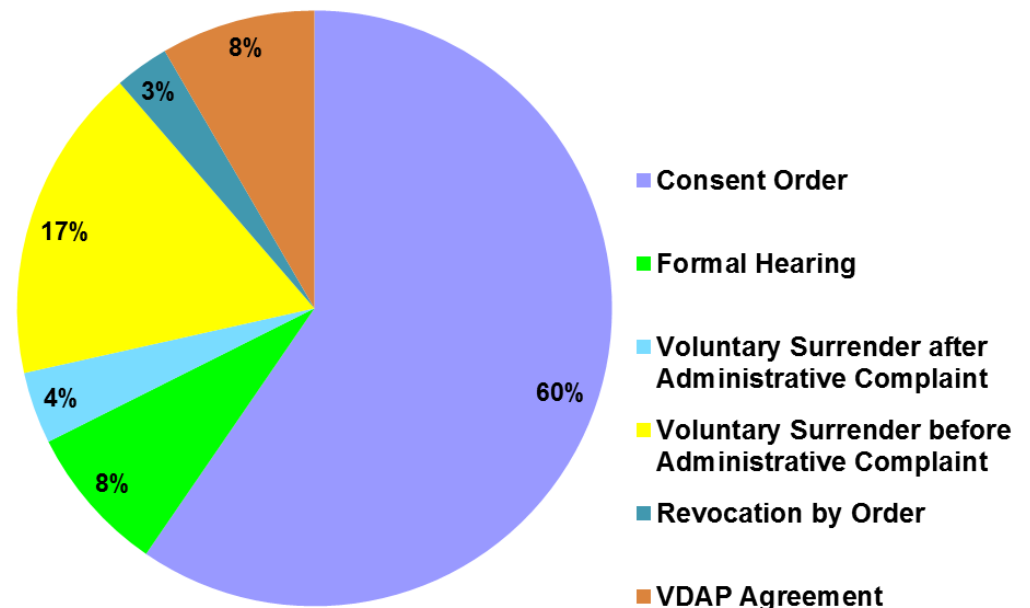
The Legal Division

Located on the third floor of the RSA Plaza, the Legal Division is comprised of several sections. The division exists not to provide legal advice to nurses, but to investigate complaints, recommend disciplinary action against nurses, review drafted regulations, keep the Board and Executive Officer (EO) informed of legal changes or issues, and work with lawyers from other state agencies, as well as represent the ABN in court when necessary.

A written complaint is required to initiate an investigation and may be submitted to the Board at any time. During FY 2013, the Board implemented online complaint forms for both consumers and employers, a development which has streamlined the process and increased access, particularly for consumers. The legal division received 1,374 complaints during FY2013, a majority of which were resolved through informal processes.

A licensed nurse whose competence or safety to practice is impaired or compromised due to the use of drugs or alcohol or as a result of a physical impairment or mental condition may be eligible for the Voluntary Disciplinary Alternative Program (VDAP). The number of complaints received represents 1.5% of the Board's aggregate licensee population. Disciplinary actions are publicly available and are reported to all required data banks and other boards of nursing. A listing of licensees and applicants who received discipline during FY 2013 is available at www.abn.alabama.gov, under the "Discipline" tab.

**Figure 13: Complaint Resolution
By Discipline or VDAP Agreement**



The Legal Division

Figure 14: FY 2013 Activities by the Legal Division

Complaints received during FY 2013	1,374
Probation Monitoring	
License status Active/Probation	318
License status Suspension	124
Released from monitoring	242
Voluntary Disciplinary Alternative Program (VDAP)	
Actively monitored in VDAP	254
Released from monitoring	86
COMPLAINT RESOLUTION	
Application Expired	1
Withdrew Application	6
Cleared	427
Non-disciplinary Letter/Admonishment	403
Deceased	1
Voluntary Disciplinary Alternative Program (VDAP) Agreement	71
Formal Hearing	68
Consent Order	504
Voluntary Surrenders before Administrative Complaint	145
Voluntary Surrenders after Administrative Complaint	33
Revocation by Order	25
COMPLAINTS RESOLVED DURING FY 2013	1,684
OPEN/PENDING COMPLAINTS AT THE END OF FY 2013	819

The Legal Division

Voluntary Disciplinary Alternative Program (VDAP)

The Voluntary Disciplinary Alternative Program (VDAP) is a program authorized by the Alabama Legislature to promote early identification, intervention, treatment, and rehabilitation of any registered nurse, licensed practical nurse, or applicant issued a valid temporary permit for licensure whose competence is found to be impaired or compromised because of the use or abuse of drugs, alcohol, controlled substances, chemicals, or other substances or as a result of a physical or mental condition rendering the person unable to meet the standards of the nursing profession (ABN Administrative Code 610-X-13-.01(8)). The program has been in existence since 1994.

VDAP is a program intended for nurses who readily admit to a problem with alcohol, drugs, or a mental or physical disorder that may cause the nurse to be unable to meet the standards for the nursing profession. VDAP is not disciplinary action, and there is no discipline associated with the nurse's license.

During FY 2013, 70 cases were closed by signing VDAP Agreements. At the end of FY2013, there were 248 nurses actively monitored in VDAP.

Probation Monitoring

The Probation Monitoring section is responsible for tracking the progress and compliance of licensees who are in a "probation" status pursuant to a Board order.

Probationers may continue to practice, subject to conditions and monitoring. Seventy percent (70%) of probationers incur discipline related to substance use or dependency, while only 30% incur due to non-substance-related violations. Throughout FY2013, an average of 310 licensees were subject to Board monitored probation at any given time.

This section also maintains records for suspended licenses. Suspension of a licensee prevents the nurse from continuing legally to practice. Initial suspension is generally applied "until conditions met," which may include comprehensive chemical dependency evaluations and treatment, payment of fines, completion of corrective education, or such other remedies as the Board may prescribe. Subsequent suspensions are issued for defined time periods (e.g. 3-6 months), but will never exceed 12 months, as the Board will revoke the license after 12 months. The average number of suspensions during FY2013 was 118. Twenty-three licenses were revoked after 12 months (three nurses failed to pay fines and complete required courses, 13 failed to complete evaluations, and seven failed to obtain recommended treatment). In all, 90% of licensees subject to suspension succeed in either returning to active status or transitioning to the probation monitoring regime.

The Legal Division

Figure 15: Discipline When Resolved With a Consent Order

A large portion of discipline cases are resolved through agreement under a consent order. The chart at the right provides a breakdown of consent order activity for FY 2013.

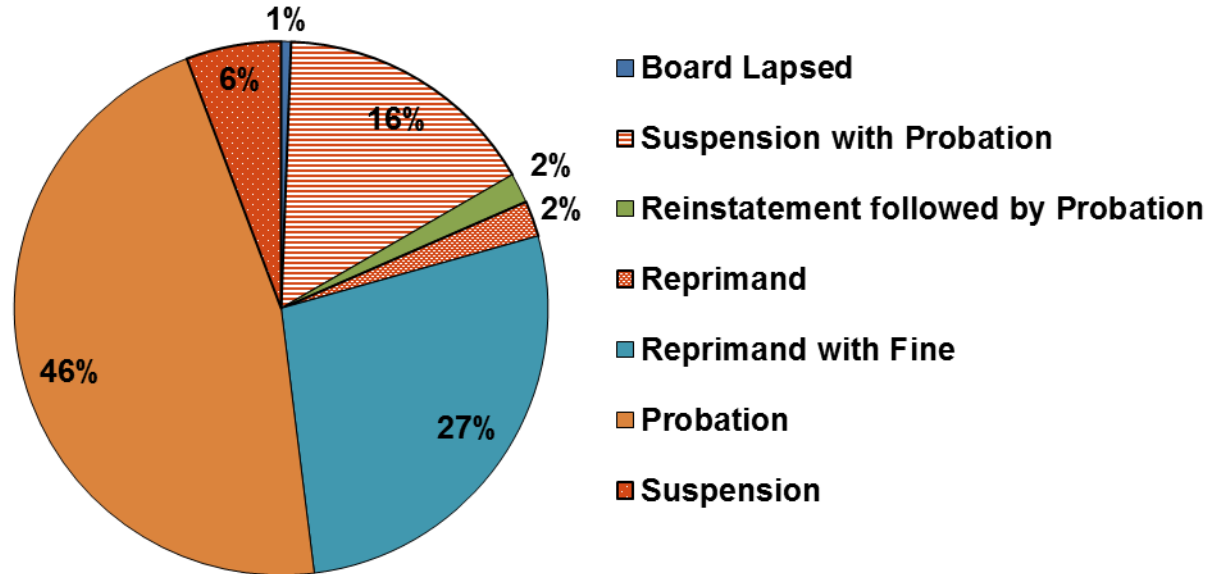
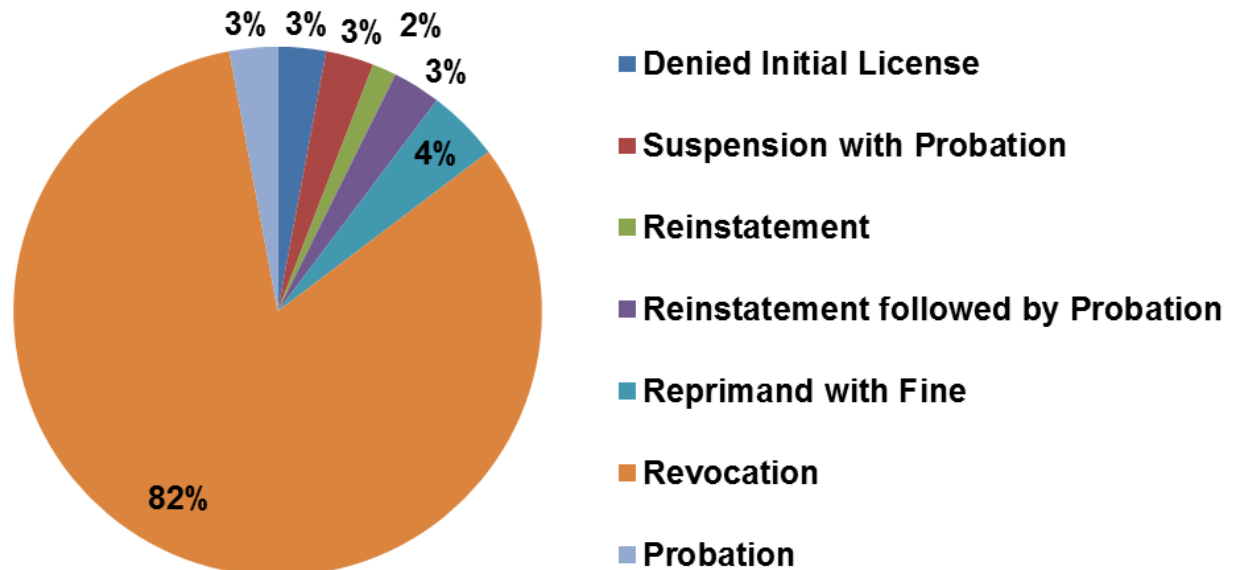


Figure 16: Discipline When Resolved With a Formal Hearing

A respondent may elect to have his or her case resolved by a hearing officer.



The Legal Division

Figure 17: Breakdown of Violations Requiring Discipline

ABN strives to achieve consistency and equity in the disciplinary process, routinely reviewing rules and practices to develop the most efficient system possible.

While only about 1% of licensees receive discipline at any given time, the size of the nursing population, the sensitive nature of their work, and the relative vulnerability of the patients they serve require strict attention to ensure ABN's primary charge - public protection.

The fact that the Legislature has not granted ABN law enforcement authority under existing statute hampers the Board's ability to access vital law enforcement resources and share information with other agencies. Accordingly, ABN continues to advocate for this designation as a natural component of its legislative mandate.

ASSIGNED VIOLATIONS WHEN DISCIPLINE OCCURRED

	Voluntary Surrender Before AC*	Voluntary Surrender After AC*	Consent Order	Formal Hearing
Abandonment	0	0	1	1
Arrest/Conviction	10	1	49	7
Bad Check	0	0	0	0
Board Order Violation	4	1	2	4
Boundary Violation	0	0	2	0
CE Violations	1	2	27	0
Discipline/Pending Action Any State	4	4	4	17
Fraud/Deceit	0	1	57	2
Illegal Practice	0	0	39	2
Mental Disorder	2	0	1	0
Military Discipline	0	0	0	0
Patient Abuse	1	0	5	0
Physical Impairment	0	0	0	0
Practicing Beyond Scope	3	0	67	1
Probation Violation	32	6	36	7
Sexual Misconduct	1	0	0	0
State/Federal Abuse Registry	0	0	0	0
Substance Abuse	61	13	89	20
Substandard Nursing Practice	13	7	215	6
Unprofessional Conduct	4	0	75	1
Violation of VDAP Contract	23	2	6	9

*Administrative Complaint